GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department - Filing of a defamation suit on the Managing Director, Editor, Printer & Publisher, Journalists responsible for publishing the adverse, libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory news in Eenadu Main News Paper on 22-02-2023 on its front page as a banner news item with the caption 'PATTABHI NI KOTTARU' (పట్టాభిని కొట్టారు) – Sanction of State Government to launch criminal prosecution for defamation under Section 199(2) of Cr.P.C. – Accorded - Orders – Issued.

HOME (LEGAL.II) DEPARTMENT

G.O.Rt.No.466

Dated:02.05.2023
Read the following:-

1. News Item published in Eenadu Main News Paper dated:22.02.2023.
2. G.O.Rt.No.938, GA(Poll.D) Department, dated:20.02.2007.
3. G.O.Rt.No.2430, GA (I&PR) Department, dated:30.10.2019.
4. Letter dated:28.02.2023 addressed to the State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.
5. Notice dated:07.03.2023 given by the State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

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ORDER:-

In the reference 1st read above, a News item has been published in Eenadu Telugu daily news paper on 22-02-2023 on its front page as a banner news item with the caption 'PATTABHI NI KOTTARU' (పట్టాభిని కొట్టారు).

2. The news article published on 22-02-2023 and the contents read as a whole are libellous, scandalous, untruthful, unfounded, per se defamatory and this derogatory news item was published to promote selfish ends of Eenadu by distorting the true facts about the incident and thereby caused defamation to the image of the Police Department and Government.

3. The news published in the Eenadu is incorrect and it leads to misconception in the minds of the public. It has failed to present the true facts with regard to the incident, despite being aware of the fact that the said Pattabhi and others tried to create law and order problem in the Gannavaram Constituency and as a part of preventive measure, he was arrested and booked under attempt to murder and other sections of IPC, for allegedly abusing the Circle Inspector P.Kanaka Rao and hurting him by pelting stones and for staging protest on the National Highway. The said Pattabhi was not subjected to any third degree, as per the medical examinations conducted and the report submitted by doctors. Further, the picture of the said Pattabhi published in the Eenadu News Paper on 22-02-2023, on its front page as a banner news item with the caption 'PATTABHI NI KOTTARU' (పట్టాభిని కొట్టారు) depicting his alleged physical condition and the injuries meted to him were of the year 2021, published in Eenadu daily newspaper article dated 03-02-2021 with caption "NETHALA PY DHASTIKAM (నేతలపై ధాష్టికం). By deliberate and malicious depiction of 2021 images in the defamatory article, suspicion and misconception was created in the minds of the public with regard to alleged police brutality

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towards Pattabhi. The alleged Pictures published in the Eenadu daily newspaper dated 22-02-2023 are from a previous time and do not relate to reference to Gannavaram incident.

4. After having examined the matter with reference to above mentioned subject matter and with reference to the orders issued in G.O. 2nd and 3rd read above, wherein powers have been delegated to the Secretaries of respective department to issue rejoinders, file complaints and lodge appropriate cases, under sub section (4) of section 199 Cr.P.C., if need be, through Public Prosecutor against defamatory news items published/telecast/ posted in print/electronic/social media pertaining to their respective Departments after following due procedure, Legal action is being taken against the concerned .

5. Accordingly, vide reference 4th read above, the State Public Prosecutor, High Court of AP, Guntur District was authorised to issue Legal Notice against the concerned. The State Public Prosecutor has issued a Notice to the parties therein vide reference 5th read above.

6. After careful examination of the matter and all the facts and circumstances of the case, the said news item containing the allegations under the above said caption against the A.P. Police, whose reputation is paramount in view of their sacrifices on a day to day basis to maintain peace and security of the society, and the said news article is intended to harm and besmirch the fair name and reputation of the Andhra Pradesh Police Department and the concerned Government Officials. It is just and necessary to launch necessary criminal prosecution against the Managing Director of Eenadu Telugu Daily News Paper and the concerned Editor and other persons responsible for selection of the news article and publishing the same in the above referred Newspaper.

7. In exercise of the powers conferred under section 199(4) of Cr.P.C, 1973, Sanction is hereby accorded to launch criminal prosecution for defamation u/s. 199(2) against the Managing Director, Editor, Printer & Publisher, Journalists responsible for selection and contribution of the same, in view of the libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory nature of the news item published in Eenadu Telugu Daily News Paper dated:22-02-2023 on its front page as a banner news item with the caption 'PATTABHI NI KOTTARU' (పట్టాభిని కొట్టారు).

8. The State Public Prosecutor, High Court of Andhra Pradesh shall take immediate further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.
Copy to:
The Director General of Police, Andhra Pradesh, Mangalagiri
The Law Department.
The P.S to Minister for Home and Disaster Management.
The PS to Chief Secretary to Government.
✓SF/SC.

//FORWARDED::BY ORDER//

KC-Pothalaiah
SECTION OFFICER